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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,613	12/29/2003	Colin Whitby-Stevens	APPL-P2962	2704
28661	7590	08/23/2006	EXAMINER	
SIERRA PATENT GROUP, LTD. 1657 Hwy 395, Suite 202 Minden, NV 89423			CAO, CHUN	
			ART UNIT	PAPER NUMBER
			2115	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/749,613	<b>Applicant(s)</b> WHITBY-STREVENS, COLIN	
	<b>Examiner</b> Chun Cao	<b>Art Unit</b> 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/05,09/04,07/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-5 and 10 are presented for examination.
2. Applicant's election without traverse of claims 12-20 (Group I), in the reply filed on July 06, 2006 is acknowledged. Claims 6-9 are canceled.

### ***Drawings***

3. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the sampled time value" in line 10; "calculate the correction" in line 11. There are insufficient antecedent basis for those limitations in the claim.

Claim 2 is rejected because they incorporate the deficiencies of claim 1.

Claim 3 recites the limitation "the sampled value" in line 7. There is insufficient antecedent basis for the limitation in the claim.

Claim 5 recites the limitation "the alpha portal" in line 2. There is insufficient antecedent basis for the limitation in the claim.

Claims 4-5 are rejected because they incorporate the deficiencies of claim 3.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (Sato), U.S. patent no. 6,128,318.

As per claim 3, Sato teaches that in a 1394-compliant system of node devices in communication over a distributed bridge [figures 1-3; col. 1, lines 16-20], a method of synchronizing cyclemasters over the distributed bridge [col. 1, lines 9-11], the method comprising:

connecting an output signal means from a first portal with an input signal means of a second portal and connecting an output signal means from a second portal with an input signal means of a first portal [fig. 2, col. 6, lines 1-23] ;

sampling the output signal means of the first portal and storing a sampled value [col. 2, lines 32-42];

communicating the sampled value to a downstream portal; and the downstream portal adjusting its cyclemaster in response to the sampled value [col. 2, lines 14-64].

As per claim 4, Sato teaches of generating an interrupt when the output signal means is sampled [col. 2, lines 18-42].

As per claim 5, Sato inherently teaches the sampled value is communicated to an alpha portal [fig. 2; col. 6, lines 10-15].

8. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al. (Baker), U.S. patent no. 6,006,286.

As per claim 10, Baker discloses a bridge link device, connectable within a 1394-compliant serial bus architecture [fig. 1], the bridge link device comprising:

a first sampled value [the current value] reflecting an output signal value [fig. 2; col. 29, lines 56-61];

a second sampled value [the current value] reflecting an input signal value [fig. 2; col. 29, lines 64-67];

a sample value register, the sample value register containing the first sample value and the second sampled value, the sample value register in communication with software that communicates the sampled values to a downstream node device [fig. 2, 26A; col. 28, line 59-col. 29, line 15; col. 29, line 54-col. 30, line 5].

#### **Allowable Subject Matter**

9. Claims 1-2 are allowed over prior art.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aug. 18, 2006



**CHUN CAO  
PRIMARY EXAMINER**